



FAX TRANSMISSION

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DATE: MAY 9, 2003

TOTAL PAGES INCLUDING
COVER PAGE: 11

TO: Supervisory Examiner Gary Benzion

FAX NO: 703-746-7012

FROM: Harriet M. Strimpel
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NEW ENGLAND BIOLABS, INC.

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Docket No.: NEB-180
William E. Jack
U.S.S.N.: 09/738,444
Filed: December 15, 2000

Second Supplement to Response After Final

PTO/SB/21 (03-03)
 Approved for use through 04/30/2003. OMB 0651-0031
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/738,444	
	Filing Date	12/15/00	
	First Named Inventor	WILLIAM E. JACK	
	Art Unit	1634	
	Examiner Name	Gary Benzon	
Total Number of Pages in This Submission	9	Attorney Docket Number	NEB 180

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Second Supplementary Response after final		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	New England Biolabs Inc	
Signature	Harriet Strimpe	
Date	5/9/03	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 5/9/03		
Typed or printed	HARRIET STRIMPE	
Signature	Harriet Strimpe	Date 5/9/03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is in fee (and by the USPTO to process) an application confidentially submitted by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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FEE TRANSMITTAL

for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete If Known

Application Number	09/738444
Filing Date	December 15 2000
First Named Inventor	William Joek
Examiner Name	Gary Ben Zion
Art Unit	1655
Attorney Docket No.	NEB-180

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number: 14-0740

Deposit Account Name: New England Biolabs

The Commissioner is authorized to: (check all that apply)

☐ Charge fees indicated below ☐ Credit any overpayments

☐ Charge any additional fees during the pendency of this application

☐ Charge fees indicated below, except for the filing fee to the above identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	201 375	Utility filing fee	
1022 336	2002 65	Design filing fee	
1003 626	2005 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claims, if not paid over original patent	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)			

**For number previously paid, if greater. For Reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,070	2255 535	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,513	1451 1,513	Petition to Institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reassue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(a)	
1808 180	1808 180	Submission of Information: Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.120(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.120(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify):			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$)			

SUBMITTED BY

Name (Print/Type): Harriet M. Stimpel

Signature: Harriet M. Stimpel

Registration No. 37008

(Complete if applicable)

Telephone: 978 927 5054

Date: 5/9/03

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Docket No.: NEB-180

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Jack, et al. EXAMINER: Frank Lu,
Supervisory Examiner,
Gary Benzion

SERIAL NO.: 09/738,444 GROUP: 1655

FILED: December 15, 2000

FOR: Use of Site-Specific Nicking Endonucleases To
Create Single-Stranded Regions and Applications
Thereof

Box AF
The Honorable Commissioner of
Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

5/13/2003

Please
enter

Rubin

SECOND SUPPLEMENT TO RESPONSE AFTER FINAL

Sir:

Supervisory Examiner Gary Benzion and Examiner Frank Lu conducted a prior art search based on claims submitted in the supplemental response faxed to the Supervisory Examiner on April 24, 2003. Applicants were informed in a telephone conference on May 7, 2003, that no new relevant art was uncovered. The Supervisory Examiner additionally informed Applicants that after meeting with Examiner Lu, it was decided that the claims were allowable with the amendments incorporated below. Consequently, the claims as amended reflect those changes agreed on for purposes of clarity with the Supervisory Examiner.